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13 Attorneys for Defendant  
14 FACEBOOK, INC.

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17 UNITED STATES DISTRICT COURT  
18 CENTRAL DISTRICT OF CALIFORNIA

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20 EVERYMD LLC,  
21 Plaintiff,  
22 v.  
23 FACEBOOK, INC.,  
24 Defendant.

Case No. 2:13-cv-06208-MRP (FFMx)

STIPULATION OF DISMISSAL  
[FRCP 41(a)(1)(A)(ii)]

Judge: Hon. Mariana R. Pfaelzer

1 WHEREAS, on August 23, 2013, EveryMD filed its Complaint against  
2 Facebook in the above-captioned case, alleging infringement of United States  
3 Patent No. 8,499,047 (“the ’047 patent”);

4 WHEREAS, on December 6, 2013, Facebook submitted to the Patent Trial  
5 and Appeal Board (“PTAB”) of the United States Patent and Trademark Office a  
6 petition for inter partes review of the ’047 patent, Case No. IPR2014-00242;

7 WHEREAS, on December 16, 2013, this Court entered an order staying the  
8 litigation in light of the inter partes review petition;

9 WHEREAS, on May 21, 2014, the PTAB instituted inter partes review of the  
10 ’047 patent, and the inter partes review proceedings are ongoing;

11 WHEREAS, the parties wish to conserve party and judicial resources by  
12 dismissing this action without prejudice in light of the pending inter partes review;

13 THEREFORE, plaintiff EveryMD LLC and Defendant Facebook, Inc.  
14 hereby stipulate under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that this  
15 action be dismissed without prejudice.  
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1 Dated: July 3, 2014

TECHCOASTLAW

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3 /s/ Frank M. Weyer

4 Frank M. Weyer  
5 Attorney for Plaintiff  
EVERYMD LLC

6 Dated: July 3, 2014

COOLEY LLP

7  
8 /s/ Mark R. Weinstein

9 Mark R. Weinstein  
10 Attorneys for Defendant  
FACEBOOK, INC.

11  
12 **FILER'S ATTESTATION**

13 Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), the undersigned attests that all  
14 parties have concurred in the filing of this Stipulation of Dismissal [FRCP  
15 41(a)(1)(A)(ii)].

16 Dated: July 3, 2014

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19 By: /s/ Frank M. Weyer  
20 Frank M. Weyer